



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

RCH/HDM/EMR/PP/MED
F. #2019R00927

*271 Cadman Plaza East
Brooklyn, New York 11201*

December 2, 2021

By ECF

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Genaro Garcia Luna
Criminal Dkt. No. 19-576 (BMC)

Dear Judge Cogan:

The government respectfully submits this written status update to the Court in advance of the status conference scheduled for December 8, 2021.

- Discovery
 - The government continues the process of collecting and reviewing discovery for production to the defendant on a rolling basis. Following the parties' last status letter on October 27, 2021, the government made an additional discovery production on December 1, 2021, totaling more than 2,700 pages of documents. See Dkt. No. 78.
 - To date, the government has produced more than 1 million pages of documents and voluminous intercepted and recorded communications. The government has produced the vast majority of the discoverable material in its possession. It will continue to make smaller productions on a rolling basis as it receives additional discoverable materials and/or identifies such material in its possession.
- CIPA
 - At the status conference on October 27, 2021, the Court set a pretrial conference pursuant to Section 2 of the Classified Information Procedures Act, 18 U.S.C. App. 3, §§ 1-16 ("CIPA") for December 15, 2021. After further consultation, the government believes that the pretrial conference can proceed publicly, without the need for an ex parte proceeding. In the interests of conserving judicial resources,

the government respectfully requests that the Court conduct the Section 2 pretrial conference during the status conference on December 8, 2021.

- Motion for an Anonymous and Partially Sequestered Jury

- On December 2, 2021, the government filed a motion for an anonymous and partially sequestered jury in the trial of this matter scheduled for October 24, 2022. See Dkt. No. 80. The government respectfully requests that the Court set a briefing schedule for this motion.

Respectfully submitted,

BREON PEACE
United States Attorney

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cc: Cesar de Castro, Esq. (by ECF)
Clerk of the Court (BMC) (by ECF)